

**BOARD FOR ARCHITECTS, PROFESSIONAL
ENGINEERS, LAND SURVEYORS,
CERTIFIED INTERIOR DESIGNERS &
LANDSCAPE ARCHITECTS**



REGULATIONS

Last Updated December 1, 2004

STATUTES

Title 54.1, Chapter 4

Excerpts from Title 13.1

Virginia

DPOR
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

**3600 West Broad Street
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NOTICE
SUMMARY OF SIGNIFICANT CHANGES

These regulations are effective December 1, 2004, and replace all previous regulations of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. As a regulant of the Board, you are responsible for following all regulations and therefore you should read and become familiar with all regulations printed in this booklet. These regulations have been revised and should be thoroughly reviewed. The purpose of the revision in the regulations is to adjust fees as necessary in accordance with § 54.1-113 of the Code of Virginia (Callahan Act).

STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your license as an Architect, Professional Engineer, Land Surveyor; your certificate as a Landscape Architect or Interior Designer; and a registration for your business. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Chapter 4 of Title 54.1 and excerpts from Title 13.1. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey to get and keep your license. **BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR LICENSE, CERTIFICATE OR REGISTRATION.**

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

APELSCIDLA Board
Department of Professional and Occupational Regulation
3600 West Broad Street
Richmond, Virginia 23230-4917

or call the Agency at (804) 367-8500.

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PART I
GENERAL

18 VAC 10-20-10. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.

"Comity," means the recognition of licenses or certificates issued by other states, the District of Columbia, or any territory or possession of the United States as permitted by § 54.1-103 C of the Code of Virginia.

"Department" means the Department of Professional and Occupational Regulation.

"Direct control and personal supervision" shall be that degree of supervision by a person overseeing the work of another whereby the supervisor has both control over and detailed professional knowledge of the work prepared under his supervision.

"Good moral character" shall include, but shall not be limited to, compliance with the standards of practice and conduct as set forth in this chapter.

"Landscape architect" means an individual who has been certified as a landscape architect pursuant to the provisions of this chapter and is in good standing with the board to practice in the Commonwealth.

"Licensed" means an individual who holds a valid license issued by the board, which has not been suspended or revoked, and who is currently registered with the board to practice in the Commonwealth in accordance with § 54.1-405 of the Code of Virginia.

"Place of business" means any location which offers to practice or practices through licensed or certified professionals the services of architecture, engineering, land surveying, certified landscape architecture and certified interior design. A temporary field office set up for project-specific services is not a place of business.

"Professional" means an architect, professional engineer, land surveyor, landscape architect or certified interior designer.

"Regulant" means a licensee, certificate holder or registrant.

"Resident" means a professional who is in said place of business a majority of the operating hours of the place of business.

"Responsible charge" means there shall be a professional in direct control and exercising personal supervision of each professional service offered or practiced. Direct control and personal supervision requires more than reviewing the work prepared by another person.

Historical Notes:

Derived from VR130-01-2 §1.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-15. Board Organization.

The board's organization shall be consistent with applicable provisions of the Code of Virginia. The board may have the following sections: Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. Each section may meet as necessary.

Historical Notes:

Derived from Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

PART II

GENERAL ENTRY REQUIREMENTS

18 VAC 10-20-20. Application requirements.

- A. All applicants must be of good moral character.
- B.
 - 1. Fully documented applications with the noted exception in subdivision 2 of this subsection shall be submitted by applicants seeking consideration for licensure, certification or registration with the appropriate fee(s) (check or money order only made payable to the Treasurer of Virginia) to be received in the board's office no later than 120 days prior to the scheduled examination. The date the completely documented application and fee are received in the board's office shall determine if an application has been received by the deadline set by the board. All applications should be completed according to the instructions contained herein. Applications are not considered complete until all required documents, including but not limited to references, employment verifications and verification of registration are received by the board. All applications, accompanying materials and references are the property of the board.
 - 2. Applicants for the Fundamentals of Engineering examination enrolled in an ABET accredited curriculum who are within 12 months of completion of degree requirements may submit applications to be received in the board's office no later than 60 days prior to the scheduled examination.
- C. Applicants shall meet applicable entry requirements at the time application is made.
- D. Applicants who have been found ineligible for any reason may request further consideration by submitting in writing evidence of additional qualifications, training or experience. No additional fee will be required provided the requirements for licensure, certification or registration are met within a period of three years from the date the original application is received by the board. After such period, a new application shall be required.
- E. The board may make further inquiries and investigations with respect to the qualifications of the applicant and all references, etc., to confirm or amplify information supplied. The board may also require a personal interview with the applicant.
- F. Failure of an applicant to comply with a written request from the board for additional evidence or information within 60 days of receiving such notice, except in such instances where the board has determined ineligibility for a clearly specified period of time, may be sufficient and just cause for disapproving the application.

- G. Applicants shall be held to the same standards of practice and conduct as set forth in this chapter.

Historical Notes:

Derived from VR130-01-2 §2.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-30. Determining qualifications of applicants.

In determining the qualifications of an applicant for a license or certificate, a majority vote of only the members of the profession involved shall be required.

Historical Notes:

Derived from VR130-01-2 §2.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-35. Experience.

All experience or training requirements contained in this chapter are based on the applicant working at least 35 hours per week. All applications will be evaluated against the experience or training requirements based on this standard.

Historical Notes:

Derived from Virginia Register Volume 16, Issue 3, eff. December 1, 1999.

18 VAC 10-20-40. Good standing of comity applicants.

An applicant licensed, certified or registered to practice architecture, engineering, land surveying, landscape architecture or interior design in another jurisdiction shall be in good standing in every jurisdiction where licensed, certified or registered, and shall not have had a license, certificate or registration suspended, revoked or surrendered in connection with a disciplinary action or who has been the subject of discipline in another jurisdiction prior to applying for licensure, certification or registration in Virginia.

Historical Notes:

Derived from VR130-01-2 §2.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-50. Transfer of scores to other boards.

The board, in its discretion and upon proper application, may forward the grades achieved by an applicant in the various examinations given under the board's jurisdiction to any other duly constituted registration board for use in evaluating such applicant's eligibility for registration within such board's jurisdiction or evaluation of such applicant's national certification. The applicant shall state his reason for requesting transfer and such transfer shall terminate the applicant's application pending before the board.

Historical Notes:

Derived from VR130-01-2 §2.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994.

18 VAC 10-20-55. Language and comprehension.

Every applicant applying for licensure or certification shall be able to speak and write English to the satisfaction of the board. Applicants from a non-English speaking country or a country wherein the primary language is other than English, who have not graduated from a college or university in the United States, shall submit to the board a TOEFL (Test of English as a Foreign Language) score report that reflects a score acceptable to the board, and a TSE (Test of Spoken English) score report that reflects a score acceptable to the board. Score reports shall not be over two years old at the time of application.

Historical Notes:

Derived from Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-60. Replacement of wall certificate.

Any licensee or certificate holder may obtain a replacement for a lost, destroyed, or damaged wall certificate only upon submission of a \$25 fee accompanied by a written request indicating that the certificate was lost, destroyed, or damaged.

Historical Notes:

Derived from VR130-01-2 §2.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994.

18 VAC 10-20-70. Modifications to examination administration.

The board and the Department of Professional and Occupational Regulation support and fully comply with the provisions of the Americans with Disabilities Act (ADA), 42 USC § 12101 et seq. Contracts between the board, department and the vendors for examinations contain the necessary provisions for compliance with the ADA. Requests for accommodations must be in writing and received by the board within a reasonable time before the examination. The board may require a report from medical professionals along with supporting data confirming the nature and extent of the disability. It is the responsibility of the applicant to provide the required information in a timely manner and the costs for providing such information are the responsibility of the applicant. The board shall determine what, if any, accommodations will be made.

Historical Notes:

Derived from VR130-01-2 §2.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997.

18 VAC 10-20-75. Conduct at examination.

Examinees will be given specific instructions as to the conduct of each division of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores.

Historical Notes:

Derived from Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-80. Dishonored checks.

In the event that a check, money draft or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus an additional processing charge specified in the regulations.

Historical Notes:

Derived from VR130-01-2 §2.7, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994.

PART III

QUALIFICATIONS FOR LICENSING OF ARCHITECTS

18 VAC 10-20-90. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 75
Renewal	\$ 55
Dishonored checks	\$ 25

Historical Notes:

Derived from VR130-01-2 §3.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, October 1, 1999.

18 VAC 10-20-100. Repealed.

Historical Notes:

Derived from VR130-01-2 §3.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; repealed, Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-110. Education.

- A. All applicants for original licensure shall hold a professional degree in architecture where the degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two years after graduation.
- B. Foreign degrees must be evaluated for equivalency to a NAAB accredited degree. The board reserves the right to reject, for good cause, any evaluation submitted. Any cost of translation and evaluation will be borne by the applicant.

Historical Notes:

Derived from VR130-01-2 §3.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-120. Experience.

- A. The successful completion of the NCARB Intern Development Program (NCARB-IDP) shall be required of all applicants for original licensure. An applicant shall be enrolled in NCARB-IDP for a period of one year or more prior to submitting an application for original licensure in Virginia. IDP training requirements shall be in accordance with the National Council of Architectural Registration Boards' Handbook for Interns and Architects, 2001-2002 Edition.
- B. All applicants must have a minimum of 36 months experience/training prior to submitting an application for examination. Any experience/training of less than 10 consecutive weeks will not be considered in satisfying this requirement.
- C. All applicants must have a minimum of 12 months experience/training in architecture as an employee in the office of a licensed architect prior to submitting an application for examination. An organization will be considered to be an office of a licensed architect if:
 - 1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and
 - 2. The practice of the organization encompasses the comprehensive practice of architecture, including the categories set forth in the IDP requirements.

Historical Notes:

Derived from VR130-01-2 §3.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-130. References.

Eligibility for licensure is determined in part by the applicant's demonstrated competence and integrity to engage in the practice of architecture. Applicants shall submit three references with the application, all of whom are licensed architects in a jurisdiction or territory of the United States or a province of Canada. These professionals shall have personal knowledge of the applicant's architectural experience and have known the applicant for at least one year. References shall be current for one year. Individuals who provide references may not also verify experience/training.

Historical Notes:

Derived from VR130-01-2 §3.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-140. Examination.

- A. All applicants for original licensure in Virginia are required to pass an NCARB-prepared examination after meeting the education and experience/training requirements as provided in this chapter.
- B. The Virginia board is a member board of the National Council of Architectural Registration Boards (NCARB) and as such is authorized to make available the NCARB prepared examination.
- C. Grading of the examination shall be in accordance with the national grading procedure administered by NCARB. The board shall utilize the scoring procedures recommended by NCARB.
- D. The NCARB prepared examination will be offered at least once a year at a time designated by the board.
- E. The board may approve transfer credits for parts of the NCARB-prepared examination taken in accordance with national standards.
- F. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee. Applicants not properly registered shall not be allowed into the examination site.
- G. Applicants approved to sit for the examination shall follow NCARB procedures.
- H. Examinees will be advised only of passing or failing the examination. Only the board and its staff shall have access to documentation.

- I. Should an applicant not pass the NCARB-prepared examination within three years after being approved, the applicant must reapply. If the applicant has not been taking the examination on a continuous basis during the three-year eligibility period, and the applicant does not reapply within 6 months of the end of his three-year eligibility period, then the applicant shall meet the entry requirements current at the time of reapplication.

Historical Notes:

Derived from VR130-01-2 §3.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-150. License by comity.

- A. Any person who is or has been licensed in another state, jurisdiction or territory of the United States or province of Canada may be granted a license provided that:
 1. The applicant meets all the requirements for licensing in Virginia that were in effect at the time of original licensure or possesses an NCARB certificate; and
 2. The applicant holds a currently active valid license in good standing in another state, jurisdiction or territory of the United States or province of Canada.

If the applicant does not possess an NCARB certificate, or does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.

- D. Applicants licensed in foreign countries other than Canada may be granted a license in Virginia based on an NCARB certificate.

Historical Notes:

Derived from VR130-01-2 §3.7, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

PART IV

QUALIFICATIONS FOR LICENSING OF PROFESSIONAL ENGINEERS

18 VAC 10-20-160. Definitions.

The following definitions shall apply in the regulations relating to the licensing of professional engineers.

"ABET" means the Accreditation Board for Engineering and Technology.

"Approved engineering curriculum" means an undergraduate engineering curriculum of four years or more, or a graduate engineering curriculum, approved by the board. ABET approved engineering curricula are approved by the board. Curricula that are accredited by ABET not later than two years after an applicant's graduation shall be deemed as ABET approved.

"Approved engineering experience" means a specific record of acceptable professional experience which the board, in its discretion, judges to be pertinent in acquiring engineering skills, on engineering projects of a grade and character indicating that the applicant may be competent to practice engineering.

"Approved engineering technology curriculum" means an engineering technology curriculum of four years or more approved by the board. ABET approved engineering technology curricula of four years or more are approved by the board. Curricula that are accredited by ABET not later than two years after an applicant's graduation shall be deemed as ABET approved.

"Engineering examination" means an NCEES examination in the Fundamentals of Engineering and an NCEES examination in the Principles and Practice of Engineering where required.

"Engineer-in-training (EIT)" means an applicant who has completed any one of several combinations of education, or education and experience, and passed the Fundamentals of Engineering examination.

"Qualifying engineering experience" means a specific record of engineering experience which the board, in its discretion, judges to be pertinent in acquiring engineering skills, on engineering projects of a grade and character indicating that the applicant may be competent to practice engineering.

Historical Notes:

Derived from VR130-01-2 §4.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-170. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Fundamentals of Engineering Application	\$ 30
Principles of Engineering Application	\$ 60
Renewal	\$ 80
Comity	\$ 60
FE/PE out of state proctor	\$ 100
Dishonored check	\$ 25

Historical Notes:

Derived from VR130-01-2 §4.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-180. Repealed.

Historical Notes:

Derived from VR130-01-2 §4.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; repealed, Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-190. Requirements for the Fundamentals of Engineering (FE) exam.

In order to be approved to sit for the FE examination, an applicant must satisfy one of the following:

	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	Enrolled in an ABET accredited undergraduate curriculum and within 12 months of completion of degree requirements. Enrolled in an ABET accredited graduate curriculum, or enrolled in a graduate curriculum that is ABET accredited at the undergraduate level at the institution at which the graduate degree is being sought, and within six months of completion of graduate degree requirements. Applications must be accompanied by a certificate of good standing from the dean of the engineering school.	0
2.	Graduated from an approved engineering or an approved engineering technology curriculum.	0
3.	Obtained an undergraduate engineering degree of four years or more from an institution in a curriculum without ABET accreditation and a graduate level engineering degree from an institution in a curriculum that is ABET accredited at the undergraduate level.	0
4.	Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.	2

	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
5.	Graduated from a nonapproved engineering technology curriculum or not graduated from an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation by documented academic course work that meets the requirements of ABET accreditation for the engineering technology curricula.	6

Historical Notes:

Derived from VR130-01-2 §4.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-200. Requirements for engineer-in-training (EIT) designation.

An applicant who is qualified to sit for the FE examination under subdivision 1 of 18 VAC 10-20-190 must provide verification of his degree prior to receiving the EIT designation. All other applicants who qualify to sit for the FE examination under subdivisions 2 through 5 of 18 VAC 10-20-190 will receive the EIT designation upon achieving a passing examination score. The EIT designation will remain valid indefinitely.

Historical Notes:

Derived from VR130-01-2 §4.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-210. Requirements for the Principles of Engineering (PE) examination.

In order to be approved to sit for the PE examination, an applicant must satisfy one of the following:

	EDUCATIONAL REQUIREMENTS	EIT REQUIRED?	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	Graduated from an approved engineering curriculum of four years or more.	YES	4
2.	Awarded both an ABET accredited undergraduate engineering degree and a doctorate degree in engineering from an engineering curriculum which is ABET accredited at the undergraduate level.	NO	4
3.	Graduated from a nonapproved engineering curriculum, a related science curriculum, or an approved engineering technology curriculum, all of which shall be four years or more.	YES	6

	EDUCATIONAL REQUIREMENTS	EIT REQUIRED?	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
4.	Graduated from a nonapproved engineering technology curriculum of four years or more; or without graduation from an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation by documented academic course work that meets the requirements of ABET accreditation for the engineering technology curricula.	YES	10
5.	Graduated from an engineering, engineering technology or related science curriculum of four years or more.	NO	20

Historical Notes:

Derived from VR130-01-2 §4.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-215. Requirements for the PE license.

In order to obtain the Professional Engineer license, an applicant must satisfy the requirements of at least one subsection of 18 VAC 10-20-210 and pass the PE examination. An applicant will receive his license to practice upon achieving a passing examination score.

Historical Notes:

Derived from Virginia Register Volume 16, Issue 3, eff. December 1, 1999.

18 VAC 10-20-220. References.

A. References for Fundamentals of Engineering examination.

Applicants for the Fundamentals of Engineering examination only shall provide one reference from a professional engineer, or from the dean of the engineering school or a departmental professor in the school attended by the applicant, or an immediate work supervisor. Any reference provided shall be from a person who has known the applicant for at least one year. Individuals who provide references may not also verify qualifying experience. References shall be no more than one year old at the time the application is received.

B. References for Principles and Practice of Engineering examination.

Applicants for the Principles and Practice of Engineering examination must indicate competence and integrity to engage in the engineering profession by submitting three references from professional engineers licensed in a state or territory of the United States each having personal knowledge of the applicant's engineering experience and having known the applicant for at least one year. References shall be no more than one year old at the time the application is received. Individuals who provide references may not also verify qualifying experience.

C. References for comity applicants.

Applicants for comity shall submit three references with the application, all of whom are licensed professional engineers in a jurisdiction or territory of the United States. These professionals shall have personal knowledge of the applicant's engineering experience and have known the applicant for at least one year. Individuals who provide references may not also verify qualifying experience. References shall be no more than one year old at the time the application is received.

Historical Notes:

Derived from VR130-01-2 §4.7, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-230. Education.

Any applicant who has earned a degree from an institution outside the United States shall have the degree evaluated by an educational credential evaluation service or by ABET if credit for such education is sought, unless the applicant earned an equivalent or higher level engineering degree from a United States institution where the program has been accredited by ABET. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant.

Historical Notes:

Derived from VR130-01-2 §4.8, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999.

18 VAC 10-20-240. Experience.

Qualifying engineering experience shall be progressive in complexity and based on a knowledge of engineering mathematics, physical and applied sciences, properties of materials, and fundamental principles of engineering design, provided:

1. In general, experience in sales, drafting, estimating, field surveying, nonengineering military service, and inspection are considered nonqualifying;
2. Engineering experience gained by graduate engineering study or by engineering teaching as an instructor or higher in an institution approved by the board may be deemed qualifying engineering experience;
3. Engineering experience gained during a board-approved co-op program may be deemed qualifying engineering experience to a maximum of one year of credit;
4. The board, in its sole discretion, may permit partial credit, not to exceed 1/2 of that required, for approved qualifying engineering experience obtained prior to graduation from an engineering curriculum.

Historical Notes:

Derived from VR130-01-2 §4.9, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-250. Repealed.

Historical Notes:

Derived from VR130-01-2 §4.10, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; repealed, Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-260. Examinations.

- A. The Virginia board is a member board of the National Council of Examiners for Engineering and Surveying (NCEES) and as such is authorized to administer the NCEES examinations.
- B. The Fundamentals of Engineering examination consists of a NCEES exam on the fundamentals of engineering and is given at times designated by the board.
- C. The Principles and Practice of Engineering examination consists of a NCEES exam on applied engineering and is given at times designated by the board.
- D. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.
- E. A candidate eligible for admission to both parts of the examination must first successfully complete the Fundamentals of Engineering examination before being admitted to the Principles and Practice of Engineering examination.
- F. Grading of the examinations shall be in accordance with national grading procedures established by NCEES.

Each part of the written examination will have a value of 100. A passing score shall be 70 and above. Candidates will be notified of passing or failing and their actual scores.

- G. Should an applicant not pass an examination within three years after being approved to sit for an examination, the applicant must reapply and meet all current entry requirements.

- H. The examination may not be reviewed by the candidates. Examination scores are final and are not subject to change.

Historical Notes:

Derived from VR130-01-2 §4.11, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-270. License by comity.

A person holding a license to engage in the practice of engineering, issued to the applicant by other states, the District of Columbia, or any territory or possession of the United States based on requirements that do not conflict with and are at least as rigorous as these regulations and supporting statutes of this board that were in effect at the time of original licensure, may be licensed without further examination. No person shall be so licensed, however, who has not passed an examination in another jurisdiction which was substantially equivalent to that approved by the board at that time. If the applicant does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.

Historical Notes:

Derived from VR130-01-2 §4.12, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

PART V

QUALIFICATIONS FOR LICENSING AND STANDARDS OF PROCEDURE FOR LAND SURVEYORS

18 VAC 10-20-280. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Fundamentals of Surveying	\$ 60
Application for Principles of Surveying	\$ 90
Application for Land Surveyor B	\$ 90
Renewal	\$ 90
Comity	\$ 90
Out-of-state proctor	\$ 100
Dishonored check	\$ 25

Historical Notes:

Derived from VR130-01-2 §5.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Errata, 18:10 VA.R. 1342 January 28, 2002.

18 VAC 10-20-290. Repealed.

Historical Notes:

Derived from VR130-01-2 §5.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; repealed, Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-295. Definitions.

“Approved land surveying experience” means diversified training in land surveying under the supervision and direction of a licensed land surveyor or under the supervision and direction of an individual authorized by statute to practice land surveying. This experience shall have been acquired in positions requiring the exercise of independent judgment, initiative and professional skill in the office and field and written verification of such work experience shall be on forms provided by the board. Experience may be gained either prior to or after education is obtained. Notwithstanding the definition of “approved land surveying experience,” the requirements set forth in 18 VAC 10-20-310 shall not be waived.

Historical Notes:

Derived from Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-300. Requirements for land surveyor-in-training (LSIT) designation.

The education or experience, or both, and examination requirements for the LSIT designation are as follows:

1. An applicant who has graduated from, or is enrolled in, a board-approved surveying or surveying technology curriculum of four years or more approved by the board and is within 12 months of completion of degree requirements is eligible for the Fundamentals of Land Surveying examination. Upon passing such examination, and providing evidence of graduation, the applicant will receive the LSIT designation. For those applicants who are within 12 months of completion of degree requirements, their application must be accompanied by a certificate of good standing from the dean of the school;
2. An applicant who has graduated from a curriculum of four years or more related to surveying as approved by the board and with a specific record of one year of approved land surveying experience shall be admitted to an examination in the Fundamentals of Land Surveying. Upon passing such examination, the applicant shall receive the LSIT designation;
3. An applicant who has earned at least a four-year bachelor’s degree in a field unrelated to surveying and with a specific record of three years of approved land surveying experience that is progressive in complexity. The applicant shall be admitted to an examination in the Fundamentals of Land Surveying. Upon passing such examination, the applicant shall receive the LSIT designation;
4. An applicant who has graduated from a surveying curriculum of two years or more approved by the board with a specific record of four years of approved land surveying experience that is progressive in complexity shall be admitted to an examination in the

Fundamentals of Land Surveying. Upon passing such examination, the applicant shall receive the LSIT designation;

5. An applicant who has successfully completed a survey apprenticeship program approved by the board with at least 480 hours of surveying related classroom instruction with a specific record of six years of approved land surveying experience that is progressive in complexity shall be admitted to an examination in the Fundamentals of Land Surveying. Upon passing such examination, the applicant shall receive the LSIT designation; or
6. An applicant who has graduated from high school and who has evidence of successful completion of courses in algebra, geometry and trigonometry with a specific record of eight years of approved land surveying experience that is progressive in complexity shall be admitted to an examination in the Fundamentals of Land Surveying. Upon passing such examination, the applicant shall receive the LSIT designation.
7. Applicants who have accumulated college credits may apply credit hours approved by the board to help meet the experience requirement. One year of experience credit will be given for 40 semester hours of approved college credit.

Historical Notes:

Derived from VR130-01-2 §5.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-310. Requirements for a licensed land surveyor.

An LSIT who, after meeting the requirements of 18 VAC 10-20-300, has a specific record of four years of approved land surveying experience of which a minimum of three years experience has been progressive in complexity and has been on land surveying projects under the supervision of a licensed land surveyor shall be admitted to an examination in the Principles and Practice of Land Surveying and the Virginia state specific examination. Upon passing such examination, the applicant shall be granted a license to practice land surveying, provided the applicant is otherwise qualified.

Historical Notes:

Derived from VR130-01-2 §5.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-320. Requirements for a licensed land surveyor B.

- A. An applicant shall hold a valid license as a land surveyor and present satisfactory evidence of two years of land surveying experience that is progressive in complexity in land surveyor B land surveying, as defined in § 54.1-408 of the Code of Virginia, under the supervision and direction of a licensed land surveyor B or professional engineer.
- B. An applicant shall also present satisfactory evidence of having passed college level courses in hydraulics, acceptable to the board.
- C. An applicant shall pass an examination as developed by the board. Upon passing such examination, the applicant shall be granted a license as a Land Surveyor B if he is otherwise qualified.

Historical Notes:

Derived from VR130-01-2 §5.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-330. Education.

Any applicant who has attended an institution not located in the United States shall have his degree evaluated by an education evaluation service if credit for such education is sought. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant.

Historical Notes:

Derived from VR130-01-2 §5.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999.

18 VAC 10-20-340. Experience standards.

An applicant shall submit written verification from a licensed land surveyor or an individual authorized by statute to practice land surveying of work experience from each employment engagement utilized as land surveying experience on forms provided by the board.

Historical Notes:

Derived from VR130-01-2 §5.7, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-350. Examinations; grading; reexamination.

- A. The examination for land surveying under § 54.1-400 of the Code of Virginia shall consist of two parts. Part I shall consist of the Fundamentals of Land Surveying. Part II shall consist of an examination in the Principles and Practice of Land Surveying and a Virginia state specific examination. These examinations shall be given semiannually at times designated by the board.
- B. The examination for land surveying under § 54.1-408 of the Code of Virginia (Land Surveyor B) shall be given at times designated by the board.
- C. Unless otherwise stated, applicants approved to sit for an examination must register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.
- D. Candidates shall be notified of passing or failing but shall not be notified of actual scores. Only the board and its staff shall have access to examination papers, scores and answer sheets. Examinations may not be reviewed.
- E. Should the applicant not pass an examination within three years after being authorized to take the examination, the applicant must reapply and meet all current entry requirements.

Historical Notes:

Derived from VR130-01-2 §5.8, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-360. Licensure by comity.

A person holding a current license to engage in the practice of land surveying, issued to the applicant by other states, the District of Columbia, or any territory or possession of the United States based on requirements that do not conflict with and are at least as rigorous as these regulations and supporting statutes of this board that were in effect at the time of original licensure, may be licensed without further examination except for the Virginia state specific examination. No person shall be so licensed, however, who has not passed an examination in another jurisdiction that was substantially equivalent to that approved by the board at that time. If the applicant does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office. All applicants shall be required to pass a written Virginia state specific examination. The examination shall include questions on law, procedures and practices pertaining to land surveying in Virginia.

Historical Notes:

Derived from VR130-01-2 §5.9, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-370. Minimum standards and procedures for land boundary surveying practice.

- A. The minimum standards and procedures set forth in this section are to be used for land boundary surveys performed in the Commonwealth of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the land boundary survey is correct to the best of the professional's knowledge and belief, and complies with the minimum standards and procedures.
- B. Research procedure.

The professional shall search the land records for the proper description of the land to be surveyed and obtain the description of adjoining land as it pertains to the common boundaries. The professional shall have the additional responsibility to utilize any other available data pertinent to the survey being performed from any other source that is known. Evidence found, from all sources, shall be carefully compared with that located and found in the field survey in order to aid in the establishment of the correct boundaries of the land being surveyed. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land. It is not the intent of this regulation to require the professional to research the question of title or encumbrances on the land involved.

C. Minimum field procedures.

1. Angular measurement. Angle measurements made for traverse or land boundary survey lines will be made by using a properly adjusted transit type instrument which allows a direct reading to a minimum accuracy of 30 seconds of arc or metric equivalent. The number of angles turned at a given station or corner will be the number which, in the judgment of the professional, can be used to substantiate the average true angle considering the condition of the instrument being used and the existing field conditions.
2. Linear measurement. Distance measurement for the lines of traverse or lines of the land boundary survey shall be made with metal tapes which have been checked and are properly calibrated as to incremental distances, or with properly calibrated electronic distance measuring equipment following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane and other necessary corrections performed before using for computing purposes.
3. Field traverse and land boundary closure and accuracy standards.
 - a. The maximum permissible error of closure for a field traverse in connection with a land boundary survey located in a rural area shall be one part in 10,000 (1/10,000). The attendant angular closure shall be that which will sustain the one part in 10,000 (1/10,000) maximum error of closure. The maximum permissible error of closure for a traverse in connection with a land boundary survey located in an urban area shall be one part in 20,000 (1/20,000). The attendant angular closure shall be that which will sustain the one part in 20,000 (1/20,000) maximum error of closure.
 - b. The maximum permissible positional uncertainty based on the 95% confidence level of any independent boundary corner or independent point located on a boundary that has been established by utilizing global positioning systems will not exceed the positional tolerance of 0.07 feet (or 20 mm + 50 ppm).
4. Monumentation. As a requisite for completion of the work product, each land boundary survey of a tract or parcel of land shall be monumented with objects made of permanent material at all corners and changes of direction on the land boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps and prescriptive road rights-of-way; and each such monument, other than a natural monument, shall, when feasible, be identified by a temporary witness stake (which may be wooden). Where it is not feasible to set actual corners, appropriate reference monuments shall be set, preferably on line, and the location of each shall be shown on the plat or map of the land boundary.

All boundaries, both exterior and interior, of the original survey for any division or partition of land shall be monumented in accordance with the provisions of this subdivision, when such monumentation is not regulated by the provisions of a local subdivision ordinance.

D. Office procedures.

1. Computations. The computation of field work data shall be accomplished by using the mathematical routines that produce closures and mathematical results that can be compared with descriptions and data of record. Such computations shall be used to determine the final land boundary of the land involved.
2. Plats and maps. The following information shall be shown on all plats or maps, or both, used to depict the results of the land boundary survey:
 - a. The title of the land boundary plat identifying the land surveyed and showing the district and county or city in which the land is located and scale of drawing.
 - b. The name of owner of record and deed book reference where the acquisition was recorded.
 - c. Names of all adjoining owners of record with deed book references, or subdivision lot designations.
 - d. Names of highways and roads with route number, and widths of right-of-way, and or distance to the center of the physical pavement and pavement width, name of railroads, streams adjoining or running through the land, and other prominent or well-known objects or areas which are informative as to the location of the land boundary survey including but not limited to a distance to the nearest road intersection, or prominent or well-known object. In cases of remote areas, a scaled position with the latitude and longitude must be provided.
 - e. Bearings of all property lines and meanders to nearest 10 seconds of arc, or metric equivalent.
 - f. Adequate curve data to accomplish mathematical closures.
 - g. Distances of all property lines and meanders to the nearest one hundredth (.01) of a foot or metric equivalent.
 - h. Area to the nearest hundredth (.01) of an acre or metric equivalent for rural located surveys.

- i. Area to the nearest square foot or thousandth (0.001) of an acre or metric equivalent for urban located surveys.
 - j. North arrow and source of meridian used for the survey.
 - k. On interior surveys, a reference bearing and distance to a property corner of an adjoining owner or other prominent object including, but not limited to, intersecting streets or roads.
 - l. Tax map designation or geographic parcel identification number if available.
 - m. Description of each monument found and each monument set by the professional.
 - n. A statement that the land boundary survey shown is based on a current field survey. The application of the land surveyor's seal, signature and date shall constitute compliance with all the current standards of a land boundary survey as of the date of the application of signature unless otherwise clearly stated in the title of the plat that the plat is to be construed otherwise.
 - o. If the land boundaries shown on the plat are the result of a compilation from deed or plats, or both, or based on a survey by others, that fact will be clearly stated and the title of the plat shall clearly depict that the plat does not represent a current land boundary survey.
 - p. Name and address of the land surveyor or the registered business.
3. Metes and bounds description. The professional shall prepare a metes and bounds description in narrative form, if requested by the client or their agent, for completion of any newly performed land boundary survey. The description shall reflect all metes and bounds, the area of the property described, all pertinent monumentation, names of record owners or other appropriate identification of all adjoining owners, and any other data or information deemed as warranted to properly describe the property. Customarily, the metes and bounds shall be recited in a clockwise direction around the property. For subdivisions, the professional shall prepare a metes and bounds description in narrative form for only the exterior boundaries of the property.

No metes and bounds description shall be required for the verification or resetting of the corners of a lot or other parcel of land in accordance with a previously

performed land boundary survey, such as a lot in a subdivision where it is unnecessary to revise the record boundaries of the lot.

Historical Notes:

Derived from VR130-01-2 §5.10, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002; Errata, 18:10 VA.R. 1342 January 28, 2002.

18 VAC 10-20-380. Minimum standards and procedures for surveys determining the location of physical improvements; field procedures; office procedures.

- A. The following minimum standards and procedures are to be used for surveys determining the location of physical improvements on any parcel of land or lot containing less than two (2) acres or metric equivalent (sometimes also known as "building location surveys", "house location surveys", "physical surveys", etc.) in the Commonwealth of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the survey determining the location of physical improvements is correct to the best of the professional's knowledge and belief, and complies with the minimum standards and procedures set forth in this section.
- B. The professional shall determine the position of the lot or parcel of land in accordance with the intent of the original survey and shall set or verify permanent monumentation at each corner of the property, consistent with the monumentation provisions of subdivision C 4 of 18 VAC 10-20-370; all such monumentation other than natural monumentation, shall, when feasible, be identified by temporary witness markers (which may be wooden).

When the professional finds discrepancies of sufficient magnitude to warrant, in his opinion, the performance of a land boundary survey (pursuant to the provisions of 18 VAC 10-20-370), he shall so inform the client or the client's agent that such land boundary survey is deemed warranted as a requisite to completion of the physical improvements survey.

The location of the following shall be determined in the field:

- 1. Fences in the near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.
- 2. Other physical improvements on the property and all man-made or installed structures, including buildings, stoops, porches, chimneys, visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc), power lines and poles, and telephones lines and poles.

3. Cemeteries, if known or disclosed in the process of performing the survey; roads or travelways crossing the property which serve other properties; and streams, creeks, and other defined drainage ways.
 4. Other visible evidence of physical encroachment on the property.
- C. The plat reflecting the work product shall be drawn to scale and shall show the following, unless requested otherwise by the client and so noted on the plat:
1. The bearings and distances for the boundaries and the area of the lot or parcel of land shall be shown in accordance with record data, unless a current, new land boundary survey has been performed in conjunction with the physical improvements survey. If needed to produce a closed polygon, the meander lines necessary to verify locations of streams, tidelands, lakes and swamps shall be shown. All bearings shall be shown in a clockwise direction, unless otherwise indicated.
 2. North arrow, in accordance with record data.
 3. Fences in the near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.
 4. Improvements and other pertinent features on the property as located in the field pursuant to subsection B of this section.
 5. Physical encroachments, including fences, across a property line shall be identified and dimensioned with respect to the property line.
 6. On parcels where compliance with restriction is in question, provide the closest dimension (to the nearest 0.1 foot) or metric equivalent from the front property line, side property line, and if pertinent, rear property line to the principal walls of each building. Also, all principal building dimensions (to the nearest 0.1 foot) or metric equivalent.
 7. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed.
 8. Stoops, decks, porches, chimneys, balconies, floor projections, and other similar type features.
 9. Street name(s), as posted or currently identified, and as per record data, if different from posted name.

10. Distance to nearest intersection, based upon record data. If not available from record data, distance to nearest intersection may be determined from best available data, and so qualified.
 11. Building restriction line(s) per restrictive covenants, if shown on the record subdivision plat.
 12. The caption or title of the plat shall include: the type of survey performed; lot number, block number, section number, and name of subdivision, as appropriate, or if not in a subdivision, the name(s) of the record owner; town or county, or city; date of survey; and scale of drawing.
 13. Adjoining property identification.
 14. Easements and other encumbrances set forth on the record subdivision plat, and those otherwise known to the professional.
 15. A statement as to whether or not a current title report has been furnished to the professional.
 16. Professional's seal, signature and date.
 17. Name and address of the land surveyor or registered business.
- D. Notwithstanding the monumentation provisions of subsection B of this section, or any other provision of these regulations, a professional, in performing a physical improvements survey, shall not be required to set corner monumentation on any property when corner monumentation is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by § 15.2-2240 of the Code of Virginia, or by subdivision A 7 of § 15.2-2241 of the Code of Virginia, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty. When monumentation is not required, the surveyor shall clearly note on the plat "no corner markers set" and the reason to include name of guarantors.
- E. Notwithstanding anything in this chapter, this chapter shall be construed as to comply in all respects with § 54.1-407 of the Code of Virginia.
- F. In no event may this chapter be interpreted or construed to require the professional to perform work of a lesser quality or quantity than that which is prudent or warranted under the existing field conditions and circumstances.

Historical Notes:

Derived from VR130-01-2 §5.11, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-390. Geodetic Surveys.

All geodetic surveys, including the determination and publication of horizontal and vertical values utilizing Global Positioning Systems, which relate to the practice of land surveying as defined in Section 54.1-400 of the Code of Virginia, shall be performed under the direct control and personal supervision of a licensed land surveyor as defined in Part I of these regulations.

Historical Notes:

Derived from VR130-01-2 §5.12, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994.

PART VI

QUALIFICATIONS FOR CERTIFICATION OF LANDSCAPE ARCHITECTS

18 VAC 10-20-400. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 125
Renewal	\$ 110
Out of state proctor	\$ 100
Dishonored checks	\$ 25

Historical Notes:

Derived from VR130-01-2 §6.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-410. Repealed.

Historical Notes:

Derived from VR130-01-2 §6.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; repealed, Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-420. Requirements for certification.

The education or experience, or both, and examination requirements for certification as a landscape architect are as follows:

1. An applicant who has graduated from an accredited landscape architecture curriculum approved by the Landscape Architectural Accreditation Board shall be admitted to a CLARB prepared examination or equivalent approved by the board. Upon passing such examination, the applicant shall be certified as a landscape architect, if otherwise qualified; or
2. An applicant who has obtained eight years of combined education and experience, evaluated in accordance with the Landscape Architect Equivalency Table, shall be admitted to a CLARB prepared examination or equivalent approved by the board. Upon passing such examination, the applicant shall be certified as a landscape architect, if otherwise qualified.

Historical Notes:

Derived from VR130-01-2 §6.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-430. Experience standard.

Qualifying landscape architectural training and experience shall be progressive in complexity and based on a knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture.

Historical Notes:

Derived from VR130-01-2 §6.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-440. Examination.

- A. All applicants for original certification in Virginia are required to pass the CLARB-prepared examination or equivalent after meeting the education and experience requirements as provided in these regulations.
- B. The Virginia board is a member of the Council of Landscape Architectural Registration Boards (CLARB) and as such is authorized to administer the CLARB examinations.
- C. The CLARB examination will be offered at least once per year at a time designated by the board.
- D. Grading of the examination shall be in accordance with the national grading procedures established by CLARB. The board shall adopt the scoring procedures recommended by CLARB.
- E. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office no later than 75 days before the next administration of the examination. Applicants not properly registered shall not be allowed into the examination site.
- F. Examinees will be advised only of their passing or failing score and the CLARB minimum passing or failing score. Only the board and its staff shall have access to examination papers, scores and answer sheets.
- G. Upon written request to the board within 30 days of receiving examination results, examinees will be permitted to view individually their own performance problems for

failed sections only. Examination appeals are permitted in accordance with the CLARB score verification process.

- H. Should an applicant not pass an examination within three years after being approved, the applicant must reapply and meet all current entry requirements.

Historical Notes:

Derived from VR130-01-2 §6.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-450. Certification by comity.

A person holding a current license to engage in the practice of landscape architecture, issued to the applicant by other states, the District of Columbia, or any territory or possession of the United States based on requirements that do not conflict with and are at least as rigorous as these regulations and supporting statutes of this board that were in effect at the time of original licensure, may be licensed without further examination. No person shall be so licensed, however, who has not passed an examination in another jurisdiction that was substantially equivalent to that approved by the board at that time. If the applicant does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office or shall hold a CLARB certificate.

**LANDSCAPE ARCHITECT EQUIVALENCY TABLE.
TABLE OF EQUIVALENTS FOR EDUCATION AND EXPERIENCE.**

DESCRIPTIONS	EDUCATION CREDITS			EXPERIENCE CREDITS	
	First Two Years	Succeeding Years	Max Credit Allowed	Credit Allowed	Max Credit Allowed
A-1 Credits toward a degree in landscape architecture from an accredited school of landscape architecture	100%	100%	4 years		
A-2 Degree in landscape architecture or credits toward that degree from a nonaccredited school of landscape architecture.	100%	100%	4 years		
A-3 Degree or credits toward that degree in an allied professional discipline, i.e., architecture, civil engineering, environmental science, approved by the board.	75%	100%	3 years		
A-4 Any other bachelor degree or credits toward that degree.	50%	75%	2 years		
A-5 Qualifying experience in landscape architecture under the direct supervision of a landscape architect.				100%	No limit
A-6 Qualifying experience directly related to landscape architecture when under the direct supervision of an architect, professional engineer, or land surveyor.				50%	4 years
EXPLANATION OF REQUIREMENTS					
<p>B-1 Education Credits. Education credits shall be subject to the following conditions:</p> <p>B-1.1. Applicants with a degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program.</p> <p>.2. With a passing grade, 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions greater than one-half year will be counted one-half year and smaller fractions will not be counted.</p>					
<p>B-2 Experience Credits. Experience credits shall be subject to the following conditions:</p> <p>B-2.1. Every applicant must earn at least two years of experience credit under category A-5.</p>					

Historical Notes:

Derived from VR130-01-2 §6.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

PART VII

QUALIFICATIONS FOR CERTIFICATION OF INTERIOR DESIGNERS

18 VAC 10-20-460. Definitions.

The following definitions shall apply in the regulations relating to the certification of interior designers.

"Diversified experience" includes the identification, research and creative solution of problems pertaining to the function and quality of the interior environment.

"Monitored experience" shall mean diversified experience in interior design under the supervision of a certified or licensed interior designer, an architect or a professional engineer.

Historical Notes:

Derived from VR130-01-2 §7.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997.

18 VAC 10-20-470. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 45
Renewal	\$ 45
Dishonored check	\$ 25

Historical Notes:

Derived from VR130-01-2 §7.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999.

18 VAC 10-20-480. Repealed.

Historical Notes:

Derived from VR130-01-2 §7.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; repealed, Virginia Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-490. Requirements for Certification.

The education, experience and examination requirements for certification as an interior designer are as follows:

1. The applicant shall hold a four-year degree from an institution accredited by the Foundation for Interior Design Education Research (FIDER) or an equivalent accrediting organization approved by the board, have two years of monitored experience, and have passed the examination for certification as an interior designer.
2. Monitored experience gained under the supervision of a professional engineer shall be reduced by 50% with a maximum credit of six months.

Historical Notes:

Derived from VR130-01-2 §7.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-500. Repealed.

Historical Notes:

Derived from VR130-01-2 §7.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; amended, Virginia Register Volume 13, Issue 23, eff. October 1, 1997; repealed, Virginia Register Volume 16, Issue 3, eff. December 1, 1999.

18 VAC 10-20-505. Certification by Comity.

The board may accept satisfactory evidence of licensing or certification in another state or country or the District of Columbia where the qualifications required are equal, in the opinion of the board, to those required by the provisions of this chapter as of the date of application, and in which the applicant is the holder of a license or certificate in good standing. Upon receipt of such satisfactory evidence and provided all other requirements of this chapter are complied with, a certificate shall be issued to the applicant.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002.

PART VIII

QUALIFICATIONS FOR REGISTRATION AS A PROFESSIONAL CORPORATION

18 VAC 10-20-510. Definitions.

"Employee" of a corporation, for purposes of stock ownership, is a person regularly employed by the corporation who devotes 60% or more of his gainfully employed time to that of the corporation.

Historical Notes:

Derived from VR130-01-2 §8.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994.

18 VAC 10-20-520. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 30
Designation for branch office	\$ 30
Renewal	\$ 25
Renewal of branch office	\$ 25
Reinstatement of branch office	\$ 30
Dishonored check	\$ 25

Historical Notes:

Derived from VR130-01-2 §8.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999.

18 VAC 10-20-530. Application requirements.

- A. All applicants shall have been incorporated in the Commonwealth of Virginia, or, if a foreign professional corporation, shall have obtained a certificate of authority to do business in Virginia from the State Corporation Commission in accordance with § 13.1-544.2 of the Code of Virginia. The corporation shall be in good standing with the State Corporation Commission at the time of application to the board office and at all times when the registration is in effect.
- B. Each application shall include certified true copies of the certificate of incorporation issued by the State Corporation Commission, articles of incorporation, bylaws and charter, and,

if a foreign professional corporation, the certificate of authority issued by the State Corporation Commission.

C. Articles of incorporation and bylaws. The following statements are required:

1. The articles of incorporation or bylaws shall specifically state that cumulative voting is prohibited.
2. The bylaws shall state that at least 2/3 of the capital stock must be held by persons duly licensed to render the services of an architect, professional engineer or land surveyor, or duly certified to render the services of a landscape architect or certified interior designer. For those corporations using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, the capital stock of the corporation shall be held by individuals in accordance with § 13.1-549 of the Code of Virginia. The remainder of the stock may be issued only to and held by individuals who are employees of the corporation.
3. The bylaws shall state that nonlicensed or noncertified individuals will not have a voice or standing in any matter affecting the practice of the corporation requiring professional expertise or considered professional practice, or both.

D. Board of directors. A corporation may elect to its board of directors not more than 1/3 of its members who are employees of the corporation and are not authorized to render professional services.

At least 2/3 of the board of directors shall be licensed to render the services of an architect, professional engineer or land surveyor, or be duly certified to render the services of a landscape architect or certified interior designer, or any combination thereof.

At least one director currently licensed or certified in each profession offered or practiced shall be resident at the business to provide effective supervision and control of the final professional product.

- E. Joint ownership of stock. Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle those employees to vote in any matter affecting the practice of the professions herein regulated.
- F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.
- G. Branch offices. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office.

Persons in responsible charge shall be designated in accordance with this chapter. At least one currently licensed or certified individual in each profession offered or practiced at each branch office shall be resident at each branch office to provide effective supervision and control of the final professional product.

Historical Notes:

Derived from VR130-01-2 §8.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-540. Certificates of authority.

Certificates of authority shall be issued by the board. The certificate of authority will permit a corporation to practice only the professions shown on its certificate of authority, architecture, engineering, land surveying, certified landscape architecture, certified interior design, or any combination thereof.

Historical Notes:

Derived from VR130-01-2 §8.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-550. Foreign corporations.

The bylaws shall state that the corporation's activities in Virginia shall be limited to rendering the services of architects, professional engineers, land surveyors, landscape architects and certified interior designers, or any combination thereof. A foreign corporation is not required to comply with the provisions of 18 VAC 10-20-530 C 2.

The corporation shall provide the name and address of each stockholder or employee of the corporation who will be providing the professional service(s) in Virginia and the Virginia license or certificate number of each stockholder or employee.

Historical Notes:

Derived from VR130-01-2 §8.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-560. Amendments and changes.

- A. Amendments to charter, articles of incorporation or bylaws. A corporation holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of incorporation, bylaws or charter.
- B. Change in directors or shareholders. In the event there is a change in corporate directors or shareholders, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the certificate of authority shall be limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining directors and shareholders of the corporation unless an employee of the firm holds the appropriate license or certificate and is competent to render such professional services. In the event that such change results in noncompliance with the requirements of this chapter and applicable statutes relating to ownership of capital stock or composition of the board of directors, the certificate of authority shall be suspended until such time as the corporation comes into compliance with this chapter. The corporation shall notify the board within 30 days of any such change.
- C. Change of name, address and place of business. Any change of name (including assumed names), address, place of business in Virginia, or person(s) in responsible charge of the profession(s) practiced or offered at each place of business shall be reported to the board by the registered entity within 30 days of such an occurrence. In addition, any licensed or certified employee responsible for such practice shall notify the board in writing of any changes of his employment status within 10 days of such change.

Historical Notes:

Derived from VR130-01-2 §8.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-565. Renewal of Branch Offices.

Branch office registrations expire the last day of February of each even-numbered year. If the renewal fee for a branch office is not received by the board within 30 days following the expiration date noted on the registration, a reinstatement fee of \$30 will be required in addition to the renewal fee.

PART IX

QUALIFICATIONS FOR REGISTRATION AS A PROFESSIONAL LIMITED LIABILITY COMPANY

18 VAC 10-20-570. Definitions.

The following words and terms when used in this part shall have the following meanings, unless the context clearly indicates otherwise:

"Manager" is a person or persons designated by the members of a limited liability company to manage the limited liability company as provided in the articles of organization or an operating agreement, and who is duly licensed or otherwise legally authorized to render one or more of the professional services of architects, professional engineers, land surveyors, landscape architects or certified interior designers in the Commonwealth of Virginia.

"Member" means an individual or professional business entity that owns an interest in a limited liability company.

"Professional Limited Liability Company" means a limited liability company organized in accordance with Chapter 13 (§13.1-1100 et seq.) of Title 13.1 of the Code of Virginia for the sole and specific purpose of rendering one or more of the professional services of architects, professional engineers, land surveyors, landscape architects or certified interior designers.

Historical Notes:

Derived from VR130-01-2 §9.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-580. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 100
Designation for branch office	\$ 50
Renewal	\$ 50
Renewal of branch office	\$ 50
Reinstatement of branch office	\$ 30
Dishonored check	\$ 25

Historical Notes:

Derived from VR130-01-2 §9.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999.

18 VAC 10-20-590. Application requirements.

- A. All applicants shall have obtained a certificate of organization in the Commonwealth of Virginia or, if a foreign professional limited liability company, shall have obtained a certificate of registration to do business in Virginia from the State Corporation Commission, in accordance with § 13.1-1105 of the Code of Virginia. The company shall be in good standing with the State Corporation Commission at the time of application to the board office and at all times when the registration is in effect.
- B. Each application shall include a certified true copy of the certificate of organization or, if a foreign professional limited liability company, a certificate of registration issued by the State Corporation Commission. Each application must also include certified true copies of the articles of organization, operating agreement, or both.
- C. Each application shall be accompanied by a written affirmative affidavit that attests to the following inclusions to the articles of organization or operating agreement.
 - 1. The articles of organization or operating agreement shall state the specific purpose of the professional limited liability company.
 - 2. The articles of organization or operating agreement shall attest that membership is composed of one or more individuals or professional business entities, and at least 2/3 of the membership interests are held by individuals or professional business entities which are duly licensed, certified or registered to render professional services within the Commonwealth of Virginia. For those professional limited liability companies using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, the membership interests of the professional limited liability company shall be held by individuals in accordance with § 13.1-1111 of the Code of Virginia. The remaining membership interest may be held only by employees of the company whether or not they are licensed, certified or otherwise legally authorized to render professional services.
 - 3. The articles of organization or operating agreement shall attest that all members, managers, employees and agents who render professional services of architects, professional engineers, land surveyors, landscape architects, or certified interior designers are duly licensed or certified to provide those services.

4. The person executing the affidavit shall sign it and state beneath his signature his name and the capacity in which he signs. If the person signing the affidavit is not a manager of the limited liability company, the affidavit shall also state that the individual has been authorized by the members of the limited liability company to execute the affidavit for the benefit of the company.
- D. Unless the articles of organization or an operating agreement provides for management of a professional limited liability company by a manager or managers, management of a limited liability company shall be vested in its members pursuant to § 13.1-1118 of the Code of Virginia.
- If the articles of organization or an operating agreement provides for management of the professional limited liability company by a manager or managers, the manager or managers must be an individual or professional business entity duly licensed or otherwise legally authorized to render the same professional services within the Commonwealth for which the company was formed. At least one member or manager currently licensed or certified in each profession offered or practiced shall be resident at the business to provide effective supervision and control of the final professional product.
- E. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.
- F. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office. Persons in responsible charge shall be designated in accordance with this chapter. At least one currently licensed or certified individual in each profession offered or practiced at each branch office shall be resident at each branch office to provide effective supervision and control of the final professional product.

Historical Notes:

Derived from VR130-01-2 §9.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-600. Certificates of authority.

A certificate of authority shall be issued by the board. The certificate of authority will permit a professional limited liability company to practice only the professions shown on its certificate of authority, architecture, engineering, land surveying, certified landscape architecture, certified interior design, or any combination thereof.

Historical Notes:

Derived from VR130-01-2 §9.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-610. Foreign professional limited liability companies.

The articles of organization or operating agreement shall state that the professional limited liability company's activities in Virginia shall be limited to rendering the professional services of architects, professional engineers, land surveyors, landscape architects, and certified interior designers, or any combination thereof. A foreign company is not required to comply with the provisions of 18 VAC 10-20-590.C.2.

The professional limited liability company shall provide the name and address of each manager or member who will be providing the professional service(s) in Virginia and the Virginia license or certificate number of each manager or member.

Historical Notes:

Derived from VR130-01-2 §9.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-620. Amendments to articles of organization, operating agreements or certificate of organization; change in managers or members; change in name, address and place of business.

- A. A professional limited liability company holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of organization, operating agreement or certificate of organization.
- B. In the event there is a change of professional limited liability company managers or members, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the certificate of authority shall be automatically modified to be limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining managers or members of the professional limited liability

company unless an employee of the professional limited liability company holds the appropriate license or certificate and is competent to render such professional services. Unless otherwise provided, in the event that such change results in noncompliance with the requirements of this chapter and applicable statutes relating to ownership of the membership interests, the certificate of authority shall be automatically suspended until such time as the professional limited liability company comes into compliance with these regulations. The professional limited liability company shall notify the board within 30 days of any such change.

No member of the professional limited liability company may transfer or sell its membership interest in the company, except to the company, or unless at least 2/3 of the remaining membership interest is held by individuals or professional business entities duly licensed or otherwise authorized to render the professional services of the company.

- C. Any change of name (including assumed names), address, place of business in Virginia, registered agent or person(s) in responsible charge of the profession(s) practiced or offered shall be reported by the registered entity to the board within 30 days of such an occurrence. In addition, any licensed or certified employee responsible for such practice shall notify the board in writing of any changes of his employment status within 10 days of such change.

Historical Notes:

Derived from VR130-01-2 §9.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-625. Renewal of Branch Offices.

Branch office registrations expire the last day of February of each even-numbered year. If the renewal fee for a branch office is not received by the board within the 30 days following the expiration date noted on the registration, a reinstatement fee of \$30 will be required in addition to the renewal fee.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 23, eff. October 1, 1997.

PART X

**QUALIFICATIONS FOR REGISTRATION AS A BUSINESS ENTITY
OTHER THAN A PROFESSIONAL CORPORATION AND PROFESSIONAL
LIMITED LIABILITY COMPANY**

18 VAC 10-20-630. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 100
Designation for branch office	\$ 50
Renewal	\$ 50
Renewal of branch office	\$ 50
Reinstatement of branch office	\$ 30
Dishonored check	\$ 25

Historical Notes:

Derived from VR130-01-2 §10.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999.

18 VAC 10-20-640. Application requirements.

- A. In accordance with § 54.1-411 of the Code of Virginia, applicants shall register with the board on a form approved by the board.
- B. If a partnership, a certified true copy of the partnership agreement shall be included with the application. The partnership agreement shall state that all professional services of the partnership shall be under the direction and control of a licensed or certified professional.
- C. If a corporation, the application shall include certified true copies of the certificate of incorporation issued by the State Corporation Commission, articles of incorporation, bylaws and charter, and if a foreign corporation, a certificate of authority issued by the State Corporation Commission.
- D. If a limited liability company, the application shall include a certified true copy of the certificate of organization issued by the State Corporation Commission, and, if a foreign limited liability company, a certified true copy of the certificate of authority issued by the State Corporation Commission.

- E. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office. Persons resident and in responsible charge shall be designated in accordance with this chapter.
- F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.

Historical Notes:

Derived from VR130-01-2 §10.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-650. Registration certification.

The application shall contain an affidavit by an authorized official in the corporation, partnership, sole proprietorship, limited liability company, or other entity unit that the practice of architecture, engineering, land surveying, certified landscape architecture or certified interior design to be done by that entity shall be under the direct control and personal supervision of the licensed or certified full-time employees or licensed or certified resident principals identified in the application as responsible for the practice. In addition, the licensed or certified employees or principals responsible for the practice shall sign their names indicating that they are resident employees or principals and in responsible charge, and that they understand and shall comply with all statutes and regulations of the board.

Historical Notes:

Derived from VR130-01-2 §10.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Register Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-660. Change of status.

Any changes of status, including but not limited to change in entity, name (including assumed names), address, place of business or persons in responsible charge of the professions practiced or offered at each place of business, shall be reported to the board by the registered entity within 30 days of such an occurrence. In addition, any licensed or certified employee responsible for such practice shall notify the board in writing of any changes of his employment status within 10 days of such change.

In the event there is a change in the licensed or certified employees in responsible charge, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the registration shall be automatically modified to be limited to that professional practice permitted by the remaining licensed or certified employees, or shall be

automatically suspended until such time as the entity comes into compliance with these regulations.

Historical Notes:

Derived from VR130-01-2 §10.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-665. Renewal of Branch Offices.

Branch office registrations expire the last day of February of each even-numbered year. If the renewal fee for a branch office is not received by the board within the 30 days following the expiration date noted on the registration, a reinstatement fee of \$30 will be required in addition to the renewal fee.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 23, eff. October 1, 1997.

PART XI

RENEWAL AND REINSTATEMENT

18 VAC 10-20-670. Expiration and renewal.

- A. Prior to the expiration date shown on the license, certificate or registration, licenses, certificates or registrations shall be renewed for a two-year period upon completion of a renewal application and payment of a fee established by the board. An applicant must certify continued compliance with the Standards of Practice and Conduct as established by the board. Registrations for professional corporations, professional limited liability companies and business entities shall expire on December 31 of each odd-numbered year. Branch offices may not renew until the main office registration is properly renewed.
- B. Failure to receive a renewal notice and application shall not relieve the regulant of the responsibility to renew. If the regulant fails to receive the renewal notice, a copy of the license, certificate or registration may be submitted with the required fee as an application for renewal, accompanied by a signed statement indicating that the applicant continues to comply with the Standards of Practice and Conduct of the board under whose authority the license, certificate or registration is issued.
- C. Board discretion to deny renewal. The board may deny renewal of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.
- D. If the renewal fee is not received by the board within 30 days following the expiration date noted on the license, certificate or registration, a late renewal fee equal to the regular fee plus \$25 shall be required, unless a reinstatement fee is otherwise noted.

Historical Notes:

Derived from VR130-01-2 §11.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997.

18 VAC 10-20-680. Reinstatement.

- A. If the license, certificate or registration has expired for six months or more, but less than five years, the regulant shall be required to submit a new application, which shall be evaluated by the board to determine if the applicant meets the renewal requirements. In addition, a reinstatement fee equal to the regular renewal fee plus \$100 shall be required.
- B. If the license, certificate or registration has expired for five years or more, the regulant will be required to submit a new application, which shall be evaluated by the board to

determine if the applicant meets the renewal requirements, and submit a reinstatement fee equal to the regular renewal fee plus \$250. In addition, the board may require an individual applicant to submit to an examination.

- C. Board discretion to deny reinstatement. The board may deny reinstatement of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.
- D. The date the renewal application and fee are received in the office of the board shall determine whether a license, certificate or registration shall be renewed without late renewal or reinstatement, or shall be subject to reinstatement application procedures.
- D. A license, certificate or registration that is reinstated shall be regarded as having been continuously licensed, certified or registered without interruption. Therefore, the license, certificate or registration holder who is not subject to the licensure for life provisions of § 54.1-405 of the Code of Virginia shall remain under the disciplinary authority of the board during the entire period and shall be accountable for his activities during the period. A license, certificate or registration that is not reinstated and is not subject to the licensure for life provisions of § 54.1-405 of the Code of Virginia shall be regarded as unlicensed, uncertified or unregistered from the expiration date forward. Nothing in this chapter shall divest the board of its authority to discipline a license, certificate or registration holder for a violation of the law or regulation during the period of time for which the regulant was licensed, certified or registered.

Historical Notes:

Derived from VR130-01-2 §11.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

PART XII

STANDARDS OF PRACTICE AND CONDUCT

18 VAC 10-20-690. Responsibility to the public.

The primary obligation of the professional is to the public. If the professional judgment of the regulant is overruled under circumstances when the safety, health, property and welfare of the public are endangered, the professional shall inform the employer or client of the possible consequences and notify appropriate authorities.

Historical Notes:

Derived from VR130-01-2 §12.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994.

18 VAC 10-20-700. Public statements.

- A. The professional shall be truthful in all professional matters.
- B. When serving as an expert or technical witness, the professional shall express an opinion only when it is based on an adequate knowledge of the facts in the issue and on a background of competence in the subject matter. Except when appearing as an expert witness in court or an administrative proceeding when the parties are represented by counsel, the professional shall issue no statements, reports, criticisms, or arguments on matters relating to professional practice which are inspired or paid for by an interested party or parties, unless the regulant has prefaced the comment by disclosing the identities of the party or parties on whose behalf the professional is speaking, and by revealing any self-interest.
- C. A professional shall not knowingly make a materially false statement or fail deliberately to disclose a material fact requested in connection with his application for licensure, certification, registration, renewal or reinstatement.
- D. A professional shall not knowingly make a materially false statement or fail to deliberately disclose a material fact requested in connection with an application submitted to the board by any individual or business entity for licensure, certification, registration, renewal or reinstatement.

Historical Notes:

Derived from VR130-01-2 §12.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997.

18 VAC 10-20-710. Conflicts of interest.

- A. The professional shall promptly and fully inform an employer or client of any business association, interest, or circumstance or circumstances which may influence the professional's judgment or the quality of service.
- B. The professional shall not accept compensation, financial or otherwise, from more than one party for services on or pertaining to the same project, unless the circumstances are fully disclosed in writing to all parties of current interest.
- C. The professional shall neither solicit nor accept financial or other valuable consideration from suppliers for specifying their products or services.
- D. The professional shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the professional is responsible.

Historical Notes:

Derived from VR130-01-2 §12.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997.

18 VAC 10-20-720. Solicitation of work or employment.

In the course of soliciting work or employment:

- 1. The regulant shall not bribe.
- 2. The regulant shall not falsify or permit misrepresentation of the regulant's work or an associate's academic or professional qualifications, nor shall the regulant misrepresent the degree of responsibility for prior assignments. Materials used in the solicitation of employment shall not misrepresent facts concerning employers, employees, associates, joint ventures or past accomplishments of any kind.

Historical Notes:

Derived from VR130-01-2 §12.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-730. Competency for assignments.

- A. The professional shall undertake to perform professional assignments only when qualified by education or experience and licensed or certified in the profession involved. Licensed professionals may perform professional assignments related to landscape architecture or interior design provided they do not hold themselves out as certified in either of these professions unless they are so certified by this board. The professional may accept an assignment requiring education or experience outside of the field of the professional's competence, but only to the extent that services are restricted to those phases of the project in which the professional is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.
- B. A professional shall not misrepresent to a prospective or existing client or employer his qualifications and the scope of his responsibility in connection with work for which he is claiming credit.
- C. The professional shall adhere to all minimum standards and requirements pertaining to the practice of his own profession as well as other professions if incidental work is performed.

Historical Notes:

Derived from VR130-01-2 §12.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999.

18 VAC 10-20-740. Professional responsibility.

- A. The professional shall not knowingly associate in a business venture with, or permit the use of the professional's name or firm name by any person or firm where there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating statutes or any of these regulations.
- B. A professional who has direct knowledge that any individual, including himself, or firm may be violating any of these provisions, or the provisions of Chapters 1 through 4 of Title 54.1 or Chapters 7 and 13 of Title 13.1 of the Code of Virginia, shall immediately inform the secretary of the board in writing and shall cooperate in furnishing any further information or assistance that may be required.

- C. The professional shall, upon request or demand, produce to the board, or any of its agents, any plan, document, book, record or copy thereof in his possession concerning a transaction covered by this chapter, and shall cooperate in the investigation of a complaint filed with the board against a licensee or certificate holder.
- D. A professional shall not utilize the design, drawings or work of another professional to, including but not limited to, complete the design, drawings or work or to replicate like design, drawings or work without the knowledge and written consent of the person or organization that owns the design, drawings or work.
- E. A professional who has received permission to modify or otherwise utilize the designs, drawings or work of another professional pursuant to subsection D of this section may seal that work only after a thorough review of the design, drawings or work to the extent that full responsibility shall be assumed for all design, drawings or work.
- F. The information contained in recorded plats or surveys may be utilized by another professional without permission. If modifications are made to the plats or surveys, the professional must conduct a thorough review and verification of the work to the extent that full responsibility shall be assumed for any changes or modifications to the plats or surveys.

Historical Notes:

Derived from VR130-01-2 §12.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-750. Good standing in other jurisdictions.

A regulant licensed, certified, or registered to practice architecture, engineering, land surveying, landscape architecture or interior design in other jurisdictions shall be in good standing in every jurisdiction where licensed, certified, or registered, and shall not have had a license, certificate, or registration suspended, revoked or surrendered in connection with a disciplinary action or who has been the subject of discipline in another jurisdiction.

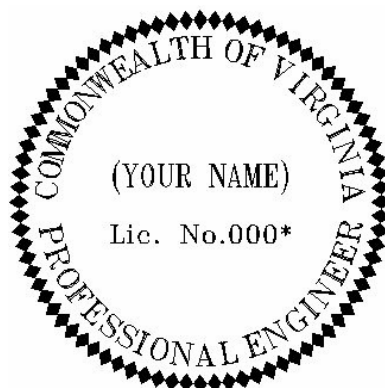
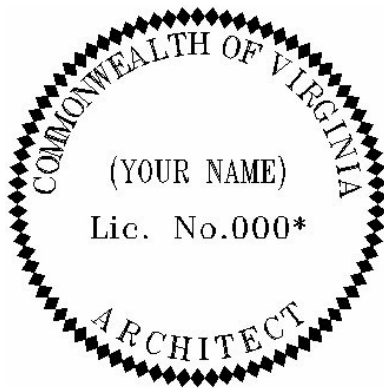
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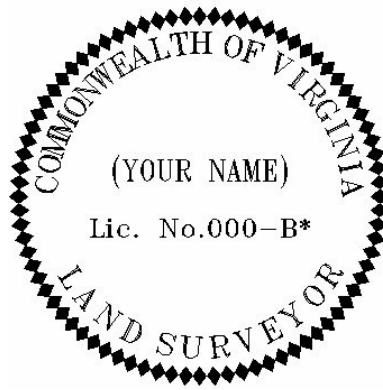
Derived from VR130-01-2 §12.7, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-760. Use of seal.

- A. The application of a professional seal shall indicate that the professional has exercised complete direction and control over the work to which it is affixed. Therefore, no regulant shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person or firm unless such work was performed under the direction and supervision of the regulant while under the regulant's contract or while employed by the same firm as the regulant. If a regulant is unable to seal completed professional work, such work may be sealed by another regulant only after thorough review and verification of the work has been accomplished to the same extent that would have been exercised if the work had been done under the complete direction and control of the regulant affixing the professional seal.
- B. A regulant shall apply a stamp or a preprinted or electronic seal to final and complete original cover sheets of plans, drawings, plats, technical reports and specifications and to each original sheet of plans, drawings or plats, prepared by the regulant or someone under his direct control and personal supervision.
 - 1. All seal imprints on the cover or first sheet of final documents shall bear an original signature and date. "Final Documents" are completed documents or copies submitted on a client's behalf for approval by authorities or recordation. In such cases, the cover sheet of the documents or copies shall contain a list of drawings included in the set on which a seal, original signature and date shall be affixed for all regulated disciplines. Every page of the submission, other than the cover, may be reproduced from originals which contain the seal, original signature and date by each discipline responsible for the work.
 - a. An electronic seal, signature and date is permitted to be used in lieu of an original seal, signature and date when the following criteria, and all other requirements of this section, are met:
 - 1. It is a unique identification of the professional;
 - 2. It is verifiable;
 - 3. It is under the professional's direct and sole control;
 - 4. It is linked to the document file in such a manner that changes are readily determined and visually displayed if any data contained in the document file was changed subsequent to the electronic seal, signature and date having been affixed to the document; and
 - 5. Changes to the document after affixing the electronic seal, signature and date shall cause the electronic seal, signature and date to be removed or altered in such a way as to invalidate the electronic seal, signature and date.

- b. In addition, once the electronic seal, signature and date is applied to the document, the document shall be in a view-only format if the document is to be electronically transmitted.
2. Incomplete plans, documents and sketches, whether advance or preliminary copies, shall be so identified on the plan, document or sketch and need not be sealed, signed or dated.
 3. All plans, drawings or plats prepared by the regulant shall bear the regulant's name or firm name, address and project name.
 4. The seal of each regulant responsible for each profession shall be used and shall be on each document that was prepared under the regulant's direction and for which that professional is responsible. If one of the exemptions found in § 54.1-402 of the Code of Virginia is applicable, a professional licensed or certified by this board shall nevertheless apply his seal to the exempt work.
 5. Application of the seal and signature indicates acceptance of responsibility for work shown thereon.
 6. The seal shall conform in detail and size to the design illustrated below and shall be two inches in diameter. The designs below may not be shown to scale:





* The number referred to is the last six-digit number as shown on the license or certificate. The number is permanent. Leading zeros contained in the six-digit number may be omitted from the seal.

Historical Notes:

Derived from VR130-01-2 §12.8, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-770. Organization and styling of practice.

Nothing shall be contained in the name, letterhead or other styling of a professional practice implying a relationship, ability or condition which does not exist.

An assumed, fictitious or corporate name shall not be misleading as to the identity, responsibility or status of those practicing thereunder.

Historical Notes:

Derived from VR130-01-2 §12.9, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994.

18 VAC 10-20-780. Professional required at each place of business.

Any legal entity or professional maintaining a place of business from which the offering to practice or practice of architecture, engineering, land surveying, certified landscape architecture, or certified interior design is to be performed in Virginia shall name for each profession offered or practiced at each place of business a Virginia professional resident at the place of business and in responsible charge. The named professional must hold a current Virginia license or certificate in the profession being offered or practiced.

Each named professional shall exercise supervision and control of the work being offered or practiced at the place of business for which he is named. Each named professional shall be in responsible charge of only one location at a time. A named professional may be in responsible charge of more than one location provided that he is resident at the place of business and is in responsible charge during a majority of the hours of operation at each location.

Historical Notes:

Derived from VR130-01-2 §12.10, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002.

18 VAC 10-20-790. Sanctions.

- A. No license, certificate, or registration shall be suspended or revoked, nor shall any regulant be fined unless a majority of the members of the entire board and a majority of the board members of the profession involved, who are eligible to vote, vote for the action. The board may suspend or revoke any license, certificate, certificate of authority or registration, or fine any regulant, if the board finds that:
1. The license, certification or registration was obtained or renewed through fraud or misrepresentation;
 2. The regulant has been found guilty by the board, or by a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor which, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline;
 3. The regulant is guilty of professional incompetence or negligence;
 4. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected;
 5. The regulant violates any standard of practice and conduct, as defined in this chapter; or
 6. The regulant violates or induces others to violate any provision of Chapters 1 through 4 of Title 54.1 or Chapters 7 and 13 of Title 13.1 of the Code of Virginia, or any other statute applicable to the practice of the professions herein regulated, or any provision of this chapter.

- B. If evidence is furnished to the board which creates doubt as to the competency of a regulant to perform professional assignments, the board may require the regulant to prove competence by interview, presentation or examination. Failure to appear before the board, pass an examination, or otherwise demonstrate competency to the board shall be grounds for revocation or suspension of the license, certification or registration.

Historical Notes:

Derived from VR130-01-2 §12.11, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999.

18 VAC 10-20-795. Change of Address.

All regulants shall notify the board of any change of address, in writing, within 30 days of making the change. When submitting a change of address, any regulant holding more than one license, certificate or registration shall inform the Board of all licenses, certificates or registrations affected by the change.

Historical Notes:

Derived from Virginia Register Volume 16, Issue 3, eff. December 1, 1999.

NOTICE

Included in this booklet are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2004 session. Any changes made during the 2004 session became effective July 1, 2004, unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

TITLE 54.1.

CHAPTER 4.

ARCHITECTS, ENGINEERS, SURVEYORS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS.

Article 1.

Architects, Engineers, Surveyors and Landscape Architects.

- 54.1-400. Definitions.
- 54.1-401. Exemptions.
- 54.1-402. Further exemptions from license requirements for architects and professional engineers.
- 54.1-402.1. State and local government employees; license exemptions for persons employed prior to March 8, 1992.
- 54.1-403. Board members and officers; quorum.
- 54.1-404. Regulations; code of professional practice and conduct.
- 54.1-404.1. Education and experience requirements continued.

- 54.1-405. Examinations and issuance of licenses and certificates.
- 54.1-406. License required.
- 54.1-407. Land surveying.
- 54.1-408. Practice of land surveying; subdivisions.
- 54.1-409. Landscape architecture.
- 54.1-410. Other building laws not affected; duties of public officials.
- 54.1-411. Organization for practice; registration.

Article 2.

Interior Designers.

- 54.1-412. Applicability.
- 54.1-413. Examination.
- 54.1-414. Issuance of certification; waiver of examination.
- 54.1-415. Repealed.

Article 1.

Architects, Engineers, Surveyors and Landscape Architects.

§ 54.1-400. Definitions.

As used in this chapter unless the context requires a different meaning:

"*Architect*" means a person who, by reason of his knowledge of the mathematical and physical sciences, and the principles of architecture and architectural design, acquired by professional education, practical experience, or both, is qualified to engage in the practice of architecture and whose competence has been attested by the Board through licensure as an architect.

The "*practice of architecture*" means any service wherein the principles and methods of architecture are applied, such as consultation, investigation, evaluation, planning and design, and includes the responsible administration of construction contracts, in connection with any private or public buildings, structures or projects, or the related equipment or accessories.

"*Board*" means the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.

"*Certified interior designer*" means a design professional who meets the criteria of education, experience, and testing in the rendering of interior design services established by the Board through certification as an interior designer.

"*Certified landscape architect*" means a person who, by reason of his special knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture and landscape architectural design acquired by professional education, practical experience, or both, is qualified to engage in the practice of landscape architecture and whose competence has been attested by the Board through certification as a landscape architect.

The "*practice of landscape architecture*" by a certified landscape architect means any service wherein the principles and methodology of landscape architecture are applied in consultation, evaluation, planning (including the preparation and filing of sketches, drawings, plans and specifications) and responsible supervision or administration of contracts relative to projects principally directed at the functional and aesthetic use of land.

"*Improvements to real property*" means any valuable addition or amelioration made to land and generally whatever is erected on or affixed to land which is intended to enhance its value, beauty or utility, or adapt it to new or further purposes. Examples of improvements to real property include, but are not limited to, structures, buildings, machinery, equipment, electrical systems, mechanical systems, roads, and water and wastewater treatment and distribution systems.

"*Interior design*" by a certified interior designer means any service rendered wherein the principles and methodology of interior design are applied in connection with the identification, research, and creative solution of problems pertaining to the function and quality of the interior environment. Such services relative to interior spaces shall include the preparation of documents for nonload-bearing interior construction, furnishings, fixtures, and equipment in order to enhance and protect the health, safety, and welfare of the public.

"*Land surveyor*" means a person who, by reason of his knowledge of the several sciences and of the principles of land surveying, and of the planning and design of land developments acquired by practical experience and formal education, is qualified to engage in the practice of land surveying, and whose competence has been attested by the Board through licensure as a land surveyor.

The "*practice of land surveying*" includes surveying of areas for a determination or correction, a description, the establishment or reestablishment of internal and external land boundaries, or the determination of topography, contours or location of physical improvements, and also includes the planning of land and subdivisions thereof. The term "planning of land and subdivisions thereof" shall include, but not be limited to, the preparation of incidental plans and profiles for roads, streets and sidewalks, grading, drainage on the surface, culverts and erosion control measures, with reference to existing state or local standards.

"*Professional engineer*" means a person who is qualified to practice engineering by reason of his special knowledge and use of mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design acquired by engineering education and experience, and whose competence has been attested by the Board through licensure as a professional engineer.

The "*practice of engineering*" means any service wherein the principles and methods of engineering are applied to, but are not necessarily limited to, the following areas: consultation, investigation, evaluation, planning and design of public or private utilities, structures, machines, equipment, processes, transportation systems and work systems, including responsible administration of construction contracts. The term "practice of engineering" shall not include the service or maintenance of existing electrical or mechanical systems.

"*Responsible charge*" means the direct control and supervision of the practice of architecture, professional engineering, or land surveying.

§ 54.1-401. Exemptions.

The following shall be exempted from the provisions of this chapter:

1. Practice of professional engineering and land surveying by a licensed architect when such practice is incidental to what may be properly considered an architectural undertaking.
2. Practice of architecture and land surveying by a licensed professional engineer when such practice is incidental to an engineering project.
3. Practice as a professional engineer, architect or certified landscape architect in this Commonwealth by any person not a resident of and having no established place of business in this Commonwealth, or by any person resident in this Commonwealth whose arrival is recent, provided that such person is otherwise qualified for such professional service in another state or country and qualifies in Virginia and files prior to commencement of such practice an application, with the required fee, for licensure as a professional engineer or architect or certification as a landscape architect. The exemption shall continue until the Board has had sufficient time to consider the application and grant or deny licensure or certification.
4. Engaging in the practice of professional engineering as an employee under a licensed professional engineer, engaging in the practice of architecture as an employee under a licensed architect, or engaging in the practice of land surveying as an employee under a licensed land surveyor; provided, that such practice shall not include responsible charge of design or supervision.
5. Practice of professional engineering, architecture or land surveying solely as an employee of the United States. However, the employee shall not be exempt from other provisions of this chapter if he furnishes advisory service for compensation to the public in connection with engineering, architectural or land surveying matters.
6. Practice of architecture or professional engineering by an individual, firm or corporation on property owned or leased by such individual, firm or corporation, unless the public health or safety is involved.

7. Practice of engineering solely as an employee of a corporation engaged in interstate commerce, or as an employee of a public service corporation, by rendering such corporation engineering service in connection with its facilities which are subject to regulation by the State Corporation Commission; provided, that corporation employees who furnish advisory service to the public in connection with engineering matters other than in connection with such employment shall not be exempt from the provisions of this chapter.

§ 54.1-402. Further exemptions from license requirements for architects and professional engineers.

A. No license as an architect or professional engineer shall be required pursuant to § 54.1-406 for persons who prepare plans, specifications, documents and designs for the following, provided any such plans, specifications, documents or designs bear the name and address of the author and his occupation:

1. Single- and two-family homes, townhouses and multi-family dwellings, excluding electrical and mechanical systems, not exceeding three stories; or
2. All farm structures used primarily in the production, handling or storage of agricultural products or implements, including, but not limited to, structures used for the handling, processing, housing or storage of crops, feeds, supplies, equipment, animals or poultry; or
3. Buildings and structures classified with respect to use as business (Use Group B) and mercantile (Use Group M), as provided in the Uniform Statewide Building Code and churches with an occupant load of 100 or less, excluding electrical and mechanical systems, where such building or structure does not exceed 5,000 square feet in total net floor area, or three stories; or
4. Buildings and structures classified with respect to use as factory and industrial (Use Group F) and storage (Use Group S) as provided in the Uniform Statewide Building Code, excluding electrical and mechanical systems, where such building or structure does not exceed 15,000 square feet in total net floor area, or three stories; or
5. Additions, remodeling or interior design without a change in occupancy or occupancy load and without modification to the structural system or a change in access or exit patterns or increase in fire hazard; or
6. Electric installations which comply with all applicable codes and which do not exceed 600 volts and 800 amps, where work is designed and performed under the direct supervision of a person licensed as a master's level electrician or Class A electrical contractor by written examination, and where such installation is not contained in any structure exceeding three stories or located in any of the following categories:
 - a. Use Group A-1 theaters which exceed assembly of 100 persons;
 - b. Use Group A-4 except churches;
 - c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems;or
7. Plumbing and mechanical systems using packaged mechanical equipment, such as equipment of catalogued standard design which has been coordinated and tested by the manufacturer, which comply with all applicable codes. These mechanical systems shall not exceed gauge pressures of 125 pounds per square inch, other than refrigeration, or temperatures other than flue gas of 300ø F (150ø C) where such work is designed and performed under the direct supervision of a person licensed as a master's level plumber, master's level heating, air conditioning and ventilating worker, or Class A contractor in those specialties by written examination. In addition, such installation may not be contained in any structure

exceeding three stories or located in any structure which is defined as to its use in any of the following categories:

- a. Use Group A-1 theaters which exceed assembly of 100 persons;
- b. Use Group A-4 except churches;
- c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; or

8. The preparation of shop drawings, field drawings and specifications for components by a contractor who will supervise the installation and where the shop drawings and specifications (i) will be reviewed by the licensed professional engineer or architect responsible for the project or (ii) are otherwise exempted; or

9. Buildings, structures, or electrical and mechanical installations which are not otherwise exempted but which are of standard design, provided they bear the certification of a professional engineer or architect registered or licensed in another state, and provided that the design is adapted for the specific location and for conformity with local codes, ordinances and regulations, and is so certified by a professional engineer or architect licensed in Virginia; or

10. Construction by a state agency or political subdivision not exceeding \$75,000 in value keyed to the January 1, 1991, Consumer Price Index (CPI) and not otherwise requiring a licensed architect, engineer, or land surveyor by an adopted code and maintenance by that state agency or political subdivision of water distribution, sewage collection, storm drainage systems, sidewalks, streets, curbs, gutters, culverts, and other facilities normally and customarily constructed and maintained by the public works department of the state agency or political subdivision.

B. No person shall be exempt from licensure as an architect or engineer who engages in the preparation of plans, specifications, documents or designs for:

- 1. Any unique design of structural elements for floors, walls, roofs or foundations; or
- 2. Any building or structure classified with respect to its use as high hazard (Use Group H).

C. Terms used in this section, and not otherwise defined in this chapter, shall have the meanings provided in the Uniform Statewide Building Code in effect on July 1, 1982, including any subsequent amendments.

§ 54.1-402.1. State and local government employees; license exemptions for persons employed prior to March 8, 1992.

Any person engaged in the practice of engineering, architecture, or land surveying as those terms are defined in § 54.1-400 as a regular, full-time, salaried employee of the Commonwealth or any political subdivision of the Commonwealth on March 8, 1992, who remains employed by any state agency or political subdivision shall be exempt until June 30, 2010, from the licensure requirements of § 54.1-406 provided the employee does not furnish advisory service for compensation to the public or as an independent contracting party in this Commonwealth or any political subdivision thereof in connection with engineering, architectural, or land surveying matters. The chief administrative officer of any agency of the Commonwealth or political subdivision thereof employing persons engaged in the practice of engineering, architecture, or land surveying as regular, full-time, salaried employees shall have the authority and responsibility to determine the engineering, architecture, and land surveying positions which have responsible charge of engineering, architectural, or land surveying decisions.

§ 54.1-403. Board members and officers; quorum.

A. The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects shall be composed of thirteen members as follows: three architects, three professional engineers, three land surveyors, two certified landscape architects and two certified interior designers. However, the two certified interior designer members initially appointed to the Board shall be qualified for certification pursuant to this chapter. Each interior designer appointment to the Board may be made from nominations submitted by the Council of Certified Virginia Interior Designers, who shall nominate three persons for each interior designer vacancy. In no case shall the Governor be bound to make any appointment from the nominees.

Board members shall have actively practiced or taught their professions for at least ten years prior to their appointments. The terms of Board members shall be four years unless otherwise provided in subsection B.

The Board shall elect a president and vice-president from its membership.

Eight Board members, consisting of two engineers, two architects, two land surveyors, one certified landscape architect and one interior designer, shall constitute a quorum.

B. 1. Of the 1998 appointments, the terms shall be as follows: the landscape architect shall serve a one-year term, one interior designer shall serve a two-year term and one interior designer shall serve a four-year term. Of the 2000 appointments, the terms shall be as follows: one architect shall serve a three-year term, one architect shall serve a four-year term, one professional engineer shall serve a two-year term, one professional engineer shall serve a four-year term, one land surveyor shall serve a two-year term, and one land surveyor shall serve a three-year term. Of the 2001 appointments, the terms shall be as follows: the architect shall serve a four-year term, the professional engineer shall serve a four-year term, the land surveyor shall serve a three-year term, and the landscape architect shall serve a four-year term.

2. Any appointments to a term of less than four years as specified in subdivision 1 shall not be considered a full term pursuant to § 54.1-107.

§ 54.1-404. Regulations; code of professional practice and conduct.

The Board shall promulgate regulations not inconsistent with this chapter governing its own organization, the professional qualifications of applicants, the requirements necessary for passing examinations in whole or in part, the proper conduct of its examinations, the implementation of exemptions from license requirements, and the proper discharge of its duties.

The regulations may include a code of professional practice and conduct, the provisions of which shall serve any or all of the following purposes:

1. The protection of the public health, safety and welfare;
2. The maintenance of standards of objectivity, truthfulness and reliability in public statements by professionals;
3. The avoidance by professionals of conflicts of interests;
4. The prohibition of solicitation or acceptance of work by professionals on any basis other than their qualifications for the work offered;
5. The restriction by the professional in the conduct of his professional activity from association with any person engaging in illegal or dishonest activities; or
6. The limitation of professional service to the area of competence of each professional.

§ 54.1-404.1. Education and experience requirements continued.

All applicants for licensure as an architect shall be governed by the Board's rules and regulations effective February 1, 1992, except § 3.3 B of VR 130-01-2, until December 31, 1997.

§ 54.1-405. Examinations and issuance of licenses and certificates.

The Board shall hold at least one examination each year at times and locations designated by the Board. A license to practice as a professional engineer, an architect, or a land surveyor, or a certificate to practice as a landscape architect shall be issued to every applicant who complies with the requirements of this chapter and the regulations of the Board. A license shall be valid during the life of the holder unless revoked or suspended by the Board. A license holder must register with the Board to practice in the Commonwealth. The licenses or certificates shall be signed by at least four members of the Board.

§ 54.1-406. License required.

A. Unless exempted by §§ [54.1-401](#), [54.1-402](#), or § [54.1-402.1](#), a person shall hold a valid license prior to engaging in the practice of architecture or engineering which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.

Unless exempted by § [54.1-401](#) or § [54.1-402.1](#), a person shall hold a valid license prior to engaging in the practice of land surveying.

B. Unless exempted by § [54.1-402](#), any person, partnership, corporation or other entity offering to practice architecture, engineering, or land surveying without being registered or licensed in accordance with the provisions of this chapter, shall be subject to the provisions of § [54.1-111](#) of this title.

C. Any person, partnership, corporation or other entity which is not licensed or registered to practice in accordance with this chapter and which advertises or promotes through the use of the words "architecture," "engineering" or "land surveying" or any modification or derivative thereof in its name or description of its business activity in a manner that indicates or implies that it practices or offers to practice architecture, engineering or land surveying as defined in this chapter shall be subject to the provisions of § [54.1-111](#).

D. Notwithstanding these provisions, any state agency or political subdivision of the Commonwealth unable to employ a qualified licensed engineer, architect, or land surveyor to fill a responsible charge position, after reasonable and unsuccessful search, may fill the position with an unlicensed person upon the determination by the chief administrative officer of the agency or political subdivision that the person, by virtue of education, experience, and expertise, can perform the work required of the position.

E. Through June 30, 2002, any full-time, salaried employee of the Commonwealth or any political subdivision of the Commonwealth on June 30, 1992, who has graduated from an engineering, engineering technology, or related science curriculum of four years or more, and who has acquired a specific record of thirty years or more of approved progressive professional experience on engineering projects of a grade and character which the Board judges to be pertinent to acquiring professional skills, demonstrating that the individual is eminently qualified to practice engineering, shall qualify for an oral examination for licensure in accordance with the rules and regulations of the Board as adopted May 17, 1990.

F. Notwithstanding the provisions of this section, a contractor who is licensed pursuant to the provisions of Chapter 11 (§ [54.1-1100](#) et seq.) of this title shall not be required to be licensed or registered to practice in accordance with this chapter when bidding upon or negotiating design-build contracts or performing services other than architectural, engineering or land surveying services under a design-build contract. The architectural, engineering or land surveying services offered or rendered in connection with such contracts shall only be rendered by an architect, professional engineer or land surveyor licensed in accordance with this chapter.

§ 54.1-407. Land surveying.

Notwithstanding the provisions of any regulation promulgated by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, a land surveyor shall not be required by Board regulations to set corner monumentation or perform a boundary survey on any property when (i) corner monumentation has been set or is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by § 15.2-2240 or subdivision 7 of § 15.2-2241, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty, or (ii) the purpose of the survey is to determine the location of the physical improvements on the said property only, if the prospective mortgagor or legal agent ordering the survey agrees in writing that such corner monumentation shall not be provided in connection with any such physical improvements survey. The provisions of this section shall apply only to property located within the Counties of Arlington, Fairfax, King George, Loudoun, Prince William, Spotsylvania and Stafford; and the Cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas and Manassas Park.

§ 54.1-408. Practice of land surveying; subdivisions.

In addition to the work defined in § 54.1-400, a land surveyor may, for subdivisions, site plans and plans of development only, prepare plats, plans and profiles for roads, storm drainage systems, sanitary sewer extensions, and water line extensions, and may perform other engineering incidental to such work, but excluding the design of pressure hydraulic, structural, mechanical, and electrical systems. The work included in this section shall involve the use and application of standards prescribed by local or state authorities. The land surveyor shall pass an examination given by the Board in addition to that required for the licensing of land surveyors as defined in § 54.1-400. Any land surveyor previously licensed pursuant to subdivision (3) (b) of former § 54-17.1 may continue to do the work herein described without further examination.

Except as provided, nothing contained herein or in the definition of "practice of land surveying" in § 54.1-400 shall be construed to include engineering design and the preparation of plans and specifications for construction.

§ 54.1-409. Landscape architecture.

Resulting plans and specifications, submitted under the seal, stamp or certification of a certified landscape architect, may be accepted by local and state authorities, in connection with both public and private projects. However, no landscape architect, unless he is also licensed as a land surveyor, shall provide boundary surveys, plats or descriptions for any purpose, except in conjunction with or under the supervision of an appropriately licensed professional, who shall provide certification, as required.

Nothing contained herein or in the definition of "practice of landscape architecture" in § 54.1-400 shall be construed to restrict or otherwise affect the right of any nurseryman, landscape designer, land planner, community planner, landscape gardener, golf course designer, turf maintenance specialist or any other similar person from engaging in such occupation, or from rendering any service in connection therewith that is not otherwise proscribed. No person shall hold himself out as, or use the title of, "landscape architect" or "certified landscape architect," unless he has been certified pursuant to the provisions of this chapter.

Any person who (i) used and was identified by the title "landscape architect" for ten years prior to July 1, 2000, (ii) holds an accredited undergraduate or graduate degree in landscape architecture, and (iii) can demonstrate to the Board satisfactory evidence of ten years of professional practice experience representing the full range of landscape architectural knowledge, skills, and abilities represented on the examination used by the Board to certify landscape architects, shall be entitled to apply to and secure from the Board, without written examination, a certificate pursuant to the provisions of this chapter, provided all other requirements of this chapter relating to landscape architecture are complied with and application is or has been made on or before July 1, 2001.

§ 54.1-410. Other building laws not affected; duties of public officials.

A. Nothing contained in this chapter or in the regulations of the Board shall be construed to limit the authority of any public official authorized by law to approve plans, specifications or calculations in connection with improvements to real property. This shall include, but shall not be limited to, the authority of officials of local building departments as defined in § 36-97, to require pursuant to the Uniform Statewide Building Code, state statutes, local ordinances, or code requirements that such work be prepared by a person licensed or certified pursuant to this chapter.

B. Any public body authorized by law to require that plans, specifications or calculations be prepared in connection with improvements to real property shall establish a procedure to ensure that such plans, specifications or calculations be prepared by an architect, professional engineer, land surveyor or landscape architect licensed, certified or authorized pursuant to this chapter in any case in which the exemptions contained in §§ 54.1-401, 54.1-402 or § 54.1-402.1 are not applicable.

Drafting of permits, reviewing of plans or inspection of facilities for compliance with an adopted code or standard by any public body or its designated agent shall not require the services of an architect, professional engineer, land surveyor or landscape architect licensed or certified pursuant to this chapter.

§ 54.1-411. Organization for practice; registration.

A. Nothing contained in this chapter or in the regulations of the Board shall prohibit the practice of architecture, engineering, land surveying or the offering of the title of certified landscape architect or certified interior designer by any corporation, partnership, sole proprietorship, limited liability company, or other entity provided such practice or certification is rendered through its officers, principals or employees who are correspondingly licensed or certified. No such organization shall limit the liability of any licensee or certificate holder for damages arising from his acts or limit such corporation, partnership, sole proprietorship, limited liability company, or other entity from liability for acts of its employees or agents. No such corporation, partnership, sole proprietorship, limited liability company, or other entity, or any affiliate thereof, shall, on its behalf or on behalf of any such licensee or certificate holder, be prohibited from (i) purchasing or maintaining insurance against any such liability; (ii) entering into any

indemnification agreement with respect to any such liability; or (iii) receiving indemnification as a result of any such liability.

B. Except for professional corporations holding a certificate of authority issued in accordance with § 13.1-549, professional limited liability companies holding a certificate of authority issued in accordance with § 13.1-1111, and sole proprietorships that do not employ other individuals for which licensing is required, any person, corporation, partnership, limited liability company, or other entity offering or rendering the practice of architecture, engineering, land surveying or offering the title of certified landscape architect or certified interior designer shall register with the Board. As a condition of registration, the entity shall name at least one licensed architect, professional engineer, land surveyor, certified landscape architect or certified interior designer for such profession offered or rendered. The person or persons named shall be responsible and have control of the regulated services rendered by the entity.

C. The Board shall adopt regulations governing the registration of persons, corporations, partnerships, limited liability companies, sole proprietors and other entities as required in subsections A and B which:

1. Provide for procedural requirements to obtain and renew registration on a periodic basis;
2. Establish fees for the application and renewal of registration sufficient to cover costs;
3. Assure that regulated services are rendered and controlled by persons authorized to do so; and
4. Ensure that conflicts of interests are disclosed.

Article 2.

Interior Designers.

§ 54.1-412. Applicability.

This chapter shall not be construed to restrict or otherwise affect the right of any uncertified interior designer, architect, engineer, or any other person from rendering any of the services which constitute the practice of interior design; however, no person may hold himself out as, or use the title of, "certified interior designer" unless he has been so certified pursuant to the provisions of this chapter.

§ 54.1-413. Examination.

At least once each year the Board shall arrange for the National Council for Interior Design Qualification examination or an equivalent examination approved by the Board to be given to qualified applicants for certification as interior designers.

§ 54.1-414. Issuance of certification; waiver of examination.

The Board shall issue a certification to practice as a certified interior designer in the Commonwealth to every applicant who shall have complied with the requirements of this chapter and the regulations of the Board. The certificates shall be signed by at least three members of the Board.

The Board shall certify any person who is a graduate of a minimum four-year professional degree program accredited by the Foundation for Interior Design Education Research, an equivalent accrediting organization or a professional program approved by the Board and who has two years of monitored experience in the performance of interior design services and who has taken and passed the examination for certification as a certified interior designer.

The Board, in its discretion, shall determine whether an applicant's professional education and professional experience in the field of interior design are sufficient to establish eligibility for the examination.

The Board, in lieu of all examinations, may accept satisfactory evidence of licensing or certification in another state or country or the District of Columbia where (i) the qualifications for such licensure or certification are equal, in the opinion of the Board, to the qualifications required by the provisions of this chapter as of the date of application and (ii) the applicant is the holder of a license or certificate in good standing. Upon receipt of such satisfactory evidence and provided all other such requirements of this chapter are complied with, a certificate shall be issued to such applicant.

§ 54.1-415. Repealed by Acts 2000, c. 42, cl. 2.

§ 13.1-549. Qualifications of shareholders; special provisions for corporations rendering services of architects, professional engineers and land surveyors, and using the title of certified landscape architects and certified interior designers.

A corporation rendering the services of architects, professional engineers or land surveyors, or using the title of certified landscape architects or certified interior designers, or any combination thereof, shall issue not less than two-thirds of its capital stock to individuals duly licensed to render the services of architect, professional engineer or land surveyor, or to individuals legally authorized to use the title of certified landscape architect or certified interior designer, and the remainder of said stock may be issued only to and held by individuals who are employees of the corporation whether or not such employees are licensed to render professional services or authorized to use a title. For those corporations using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, not less than two-thirds of the capital stock of the corporation shall be held by individuals who are duly licensed. No other professional corporation, except for a corporation engaged in the practice of accounting as described in § 13.1-549.1, may issue any of its capital stock to anyone other than an individual who is duly licensed or otherwise legally authorized to render the same specific professional services as those for which the corporation was incorporated. Notwithstanding the above limitations a professional corporation may issue its stock to a partnership each of the partners of which is duly licensed or otherwise legally authorized to render the same professional services as those for which the corporation was incorporated.

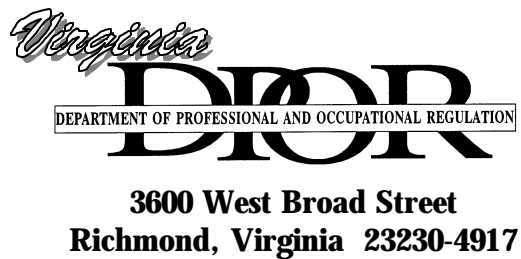
It is further provided, as an additional prerequisite for a corporation engaging in the practice of the professions of architecture, professional engineering or land surveying, or using the title of certified landscape architect or certified interior designer, or any combination thereof, that such corporation shall secure a certificate of authority, which may be renewable and may be either general or limited, from the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. Such certificate of authority shall be issued or renewed by the Board when in its discretion such corporation is in compliance with rules and regulations which shall be promulgated by the said Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 (§ 54.1-400 et seq.) of Title 54.1.

§ 13.1-1111. Qualifications of members and managers; special provisions for limited liability companies rendering service of architects, professional engineers and land surveyors, and using the title of certified landscape architects and certified interior designers.

Not less than two-thirds of the membership interests of a professional limited liability company rendering the services of architects, professional engineers or land surveyors, or using the title of certified landscape architects or certified interior designers, or any combination thereof, shall be held by individuals duly licensed or professional business entities legally authorized to render the services of architects, professional engineers or land surveyors, or by individuals or professional business entities legally authorized to use the title of certified landscape architects or certified interior designers, and the remainder of the membership interests may be held only by individuals who are employees of the professional limited liability company whether or not those employees are licensed to render professional services or authorized to use a title. For those professional limited liability companies using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, not less than two-thirds of the membership interests of the

professional limited liability company shall be held by individuals who are duly licensed. No other professional limited liability company, except for a professional limited liability company engaged in the practice of accounting as described in § 13.1-1112, may have as a member anyone other than an individual or a professional business entity that is duly licensed or otherwise legally authorized to render the same professional services as those for which the professional limited liability company was organized.

As an additional prerequisite for a professional limited liability company's engaging in the practice of the professions of architecture, professional engineering or land surveying, or using the title of certified landscape architect or certified interior designer, or any combination thereof, that professional limited liability company shall secure a certificate of authority, which may be renewable and may be either general or limited, from the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The certificate of authority shall be issued or renewed by the Board when in its discretion the professional limited liability company is in compliance with rules and regulations which shall be promulgated by the Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 (§ 54.1-400 et seq.) of Title 54.1.



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